

Thomas-Jensen
Affirmation
(redacted)

Exhibit # 64

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK; STATE OF CALIFORNIA;
STATE OF ILLINOIS; STATE OF RHODE ISLAND;
STATE OF NEW JERSEY; COMMONWEALTH OF
MASSACHUSETTS; STATE OF ARIZONA; STATE
OF COLORADO; STATE OF CONNECTICUT;
STATE OF DELAWARE; THE DISTRICT OF
COLUMBIA; STATE OF HAWAII; STATE OF
MAINE; STATE OF MARYLAND; STATE OF
MICHIGAN; STATE OF MINNESOTA; STATE OF
NEVADA; STATE OF NORTH CAROLINA; STATE
OF NEW MEXICO; STATE OF OREGON; STATE OF
VERMONT; STATE OF WASHINGTON; STATE OF
WISCONSIN,

Plaintiffs,

v.

DONALD TRUMP, IN HIS OFFICIAL CAPACITY AS
PRESIDENT OF THE UNITED STATES; U.S.
OFFICE OF MANAGEMENT AND BUDGET;
MATTHEW J. VAETH, IN HIS OFFICIAL CAPACITY
AS ACTING DIRECTOR OF THE U.S. OFFICE OF
MANAGEMENT AND BUDGET; U.S.
DEPARTMENT OF THE TREASURY; SCOTT
BESSENT, IN HIS OFFICIAL CAPACITY AS
SECRETARY OF THE TREASURY; PATRICIA
COLLINS IN HER OFFICIAL CAPACITY AS
TREASURER OF THE U.S.; U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES; DOROTHY A.
FINK, M.D., IN HER OFFICIAL CAPACITY AS
ACTING SECRETARY OF HEALTH AND HUMAN
SERVICES; U.S. DEPARTMENT OF EDUCATION;
DENISE CARTER, IN HER OFFICIAL CAPACITY
AS ACTING SECRETARY OF EDUCATION; U.S.
FEDERAL EMERGENCY MANAGEMENT
AGENCY; CAMERON HAMILTON, IN HIS
OFFICIAL CAPACITY AS ACTING
ADMINISTRATOR OF THE U.S. FEDERAL
EMERGENCY MANAGEMENT,

Defendants.

C.A. No. 1:25-cv-00039

DECLARATION OF ELIZABETH MAHONY

I, Elizabeth Mahony, hereby depose and state as follows:

1. I am the Commissioner of the Massachusetts Department of Energy Resources. I have held that position since February 26, 2023. I make this declaration as a representative of the Massachusetts Department of Energy Resources (“DOER”), in part based on the business records of DOER, and in part based on my personal knowledge and experience. In my official capacity and based on my personal knowledge and other sources of information that I have obtained and reviewed in that official capacity, I am familiar with, and if called upon to do so would be competent to testify to, the facts and circumstances set forth herein.

Solar for All Program

2. On October 11, 2023, DOER applied for a grant through the U.S. Environmental Protection Agency’s (“EPA”) Solar for All Program. DOER is the lead applicant for the Commonwealth of Massachusetts, to the Solar for All Program, which includes Coalition partners from other state entities and local nonprofit organizations. On April 22, 2024, DOER received confirmation from EPA that the Commonwealth had been awarded a \$156 million award under the EPA’s Solar for All program.

3. After receiving the Solar for All grant, DOER began to design program specifics for the Massachusetts Solar for All program, to allow DOER and other Coalition members to expand access to solar power in the Commonwealth. The Massachusetts Solar for All program is designed to provide direct financial assistance for small residential, multifamily, and community solar projects, along with education and outreach, workforce development, enabling upgrades, and technical assistance.

4. On September 1, 2024, the Massachusetts Solar for All program began incurring allowable costs under the grant. Per Massachusetts policy, the Office of the Comptroller of the Commonwealth of Massachusetts (“Comptroller”) overseeing financial systems for the Commonwealth submits draw down requests through the ASAP U.S. Treasury system on behalf of state agencies. On February 5, 2025, per the request of DOER, the Comptroller submitted a draw down request to reimburse allowable costs incurred by the Massachusetts Solar for All program.

5. On January 20, 2025, President Trump issued an executive order entitled *Unleashing American Energy* (“*Unleashing*”), which purported to end all funding under the Inflation Reduction Act of 2022 (“IRA”) and the Infrastructure Investment and Jobs Act (“IIJA”). The Solar for All Program was promulgated by the EPA under the IRA.

6. On January 28, 2025, DOER personnel received electronic mail from EPA_Grants_Info@epa.gov (EPA) stating that the agency has paused all funding actions related to the Inflation Reduction Act and the Infrastructure Investment and Jobs Act.

From: EPA_Grants_Info <EPA_Grants_Info@epa.gov>
Sent: Tuesday, January 28, 2025 4:50 PM
Subject: Pause EPA Grants

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Grant Recipient,

EPA is working diligently to implement President Trump's [Unleashing American Energy](#) Executive Order issued on January 20 in coordination with the Office of Management and Budget. The agency has paused all funding actions related to the Inflation Reduction Act and the Infrastructure Investment and Jobs Act at this time. EPA is continuing to work with OMB as they review processes, policies, and programs, as required by the Executive Order.

Thank you.

Please do not reply to this message. This mailbox is not monitored.

7. As of February 4, 2025, the status of the DOER award in ASAP is marked as SUSPENDED. Absent the ability to draw down reimbursement for costs already incurred in furtherance of the Massachusetts Solar for All program, DOER will be unable to receive reimbursement for allowable personnel, fringe, and indirect costs incurred since the program start date of September 1, 2024. Additionally, DOER will be unable to reimburse Coalition partners for allowable personnel and fringe costs incurred since the program start date.

ASAP.gov
Advanced Solar
Application for Payments

Date: 02/04/2025
Time: 2:39 PM

Account Profile Inquiry

ALC/Region: 68128933 Agency Short Name: RTP-Grants Account ID: SH54090201
 Recipient ID: 2592840 Recipient Short Name: ENE

Inquiry Results:

ACCOUNT DETAILS	GRANT DETAILS
Requester ID : [REDACTED] Account ID : [REDACTED] Account Description : SOLAR FOR ALL 1031/LDC Account : No Account Type : Regular Account Group ID : [REDACTED] Control Account : No Account Status : Indicator : Suspend Available Balance : \$135,720,000.00 Create Date : 11/15/2024 Begin Date : 09/01/2024 Performance Period : End Date : 08/31/2025 End Date : 12/31/2025 TAS Distribution : Method : Percentage by Account Allow Book Entry : Adjustment : Yes Allow Warehouse : Payments : Yes CMA Indicator : No	Grant : Yes Federal Award : Identification Number (FAIN) : SH54090201 CFDA Number : 66935.000 Total Estimated Grant Amount : \$0.00
	AGENCY PAYMENT REVIEW Agency Review : No Threshold Amount : Reason for Review :
	DRAW AMOUNTS Max Total Draw Amount : Max Daily Draw Amount : Max Monthly Draw Amount : Max Quarterly Draw Amount :
	AUTOMATED AUTHORIZATION RENEWALS Authorized Renewal : Amount : \$0.00 Certified Date : Renewal Frequency : Pending Renewal : Frequency : Pending Authorized Renewal Amount : \$0.00 Rollback Draw Quarter :
CUMULATIVE AUTHORIZATIONS Cumulative Authorized Amount : \$135,720,000.00 Cumulative Authorized Amount Draw Period :	

8. Because of the uncertainty regarding whether and when DOER's draw down requests will be processed, Massachusetts Solar for All has paused efforts to hire staff to implement the Commonwealth's anticipated program. It has also halted its anticipated launch of a Massachusetts Solar for All web platform, which is a key tool in Massachusetts Solar for All's engagement strategy to raise residents' and industry awareness and participation in the programs to achieve program outputs as included in the EPA approved workplan. Massachusetts Solar for All faces delays in contracting with vendors and service providers to support program delivery as Coalition partners are unable to sign contracts given the uncertainty regarding whether and when DOER's draw down requests will be processed.

9. Absent additional certainty that the Massachusetts Solar for All program will be able to successfully receive reimbursement, DOER will not be able to move forward with implementation. This will result in a missed opportunity for energy savings for thousands of homeowners and renters throughout the Commonwealth, who will continue to face high energy

burdens without the savings from this program. Additionally, not moving forward with the implementation of the Massachusetts Solar for All program will delay or prevent the Commonwealth meeting its objectives of delivering good, well-paying jobs, including construction, trades, and installation services needed to support the program.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 6th DAY OF FEBRUARY, 2025.

A handwritten signature in black ink, appearing to read "Elizabeth Mahony", with a long, sweeping horizontal stroke extending to the right.

Elizabeth Mahony
Commissioner